

1 EDMUND G. BROWN JR.
Attorney General of California
2 JAMES M. LEDAKIS
Supervising Deputy Attorney General
3 KATHLEEN B.Y. LAM
Deputy Attorney General
4 State Bar No. 95379
110 West "A" Street, Suite 1100
5 San Diego, CA 92101
P.O. Box 85266
6 San Diego, CA 92186-5266
Telephone: (619) 645-2091
7 Facsimile: (619) 645-2061
Attorneys for Complainant

9 **BEFORE THE**
10 **BOARD OF REGISTERED NURSING**
DEPARTMENT OF CONSUMER AFFAIRS
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 2009-300

13 **RONELIA D. WALKER**
17925 Santa Olivia
14 Fountain Valley, CA 92708

A C C U S A T I O N

15 **Registered Nurse License No. 630503**

16 Respondent.

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18
19 Complainant alleges:

20 **PARTIES**

21 1. Ruth Ann Terry, M.P.H., R.N. (Complainant) brings this Accusation solely in her
22 official capacity as the Executive Officer of the Board of Registered Nursing, Department of
23 Consumer Affairs.

24 2. On or about December 24, 2003, the Board of Registered Nursing issued Registered
25 Nurse License Number 630503 to Ronelia D. Walker (Respondent). The license expires on
26 February 28, 2011.

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JURISDICTION

3. This Accusation is brought before the Board of Registered Nursing (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2750 of the Business and Professions Code (Code) provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2761 of the Code states in pertinent part:

The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

...

(d) Violating or attempting to violate, directly or indirectly, or assisting in or abetting the violating of, or conspiring to violate any provision or term of this chapter [the Nursing Practice Act] or regulations adopted pursuant to it.

...

(f) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof.

....

6. Section 490 of the Code states:

(a) In addition to any other action that a board is permitted to take against a licensee, a board may suspend or revoke a license on the ground that the licensee has been convicted of a crime, if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

(b) Notwithstanding any other provision of law, a board may exercise any authority to discipline a licensee for conviction of a crime that is independent of the authority granted under subdivision (a) only if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the licensee's license was issued.

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1 (c) A conviction within the meaning of this section means a plea or verdict of guilty
2 or a conviction following a plea of nolo contendere. Any action that a board is permitted to
3 take following the establishment of a conviction may be taken when the time for appeal has
4 elapsed, or the judgment of conviction has been affirmed on appeal, or when an order
5 granting probation is made suspending the imposition of sentence, irrespective of a
6 subsequent order under the provisions of Section 1203.4 of the Penal Code.

7 (d) The Legislature hereby finds and declares that the application of this section has
8 been made unclear by the holding in *Petropoulos v. Department of Real Estate* (2006) 142
9 Cal.App.4th 554, and that the holding in that case has placed a significant number of
10 statutes and regulations in question, resulting in potential harm to the consumers of
11 California from licensees who have been convicted of crimes. Therefore, the Legislature
12 finds and declares that this section establishes an independent basis for a board to impose
13 discipline upon a licensee, and that the amendments to this section made by Senate Bill 797
14 of the 2007 -08 Regular Session do not constitute a change to, but rather are declaratory of,
15 existing law.

16 7. Section 125.3 of the Code provides, in pertinent part, that the Board may request the
17 administrative law judge to direct a licensee found to have committed a violation or violations of
18 the licensing act to pay a sum not to exceed the reasonable costs of the investigation and
19 enforcement of the case.

20 8. California Code of Regulations, title 16, section 1444, states in pertinent part:

21 A conviction or act shall be considered to be substantially related to the
22 qualifications, functions or duties of a registered nurse if to a substantial degree it evidences
23 the present or potential unfitness of a registered nurse to practice in a manner consistent
24 with the public health, safety, or welfare

25 **FIRST CAUSE FOR DISCIPLINE**
26 **(Violation of Board Statutes)**

27 9. Respondent is subject to disciplinary action under section 2761(d) in that
28 Respondent violated Board provisions or terms, as described in paragraphs 10, 11, 12, and 13,
below.

SECOND CAUSE FOR DISCIPLINE
(July 27, 2007, Criminal Conviction – Disorderly Conduct Order on July 25, 2007)

10 10. Respondent is subject to disciplinary action under sections 2761(f) and 490,
11 in that she was convicted of a crime substantially related to the qualifications, functions or duties
12 of a registered nurse, as follows:

13 a. In *People of the State of California v. Ronelia D. Walker*, Orange County Superior
14 Court Case No. 07NM09594, Respondent was charged with a violation of Penal Code section
15 166(a)(4), disobeying a court order.

1 b. On or about July 27, 2007, Respondent pled guilty to the charge, and sentenced
2 immediately to three years informal probation, with terms of probation including: submitting her
3 person and property to search and seizure by any law enforcement or probation officer, with or
4 without a warrant, and with or without reasonable cause or suspicion; no contact with the victim
5 listed in the protective order; and fees.

6 c. On or about November 2, 2007, Respondent admitted to a violation of probation.
7 Probation was reinstated on the same terms and conditions.

8 d. The circumstances of this conviction are: On or about July 25, 2007, Brea Police
9 Department officers responded to a report of a suspicious person in a vehicle. The officers went
10 to the residence of victim F.T. because Respondent had been sitting across the street in her
11 vehicle all day. Respondent was served with a civil harassment order prohibiting her to contact or
12 harass the resident/victim, who was Respondent's former doctor. The police subsequently
13 received another telephone call the same day informing them that Respondent had returned to the
14 location. When the officers arrived at the location, Respondent was not in her vehicle. She was
15 found crouched behind a wall at a residence located approximately 50 to 75 yards away from the
16 victim's home. Respondent was placed under arrest for criminal contempt.

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18 **THIRD CAUSE FOR DISCIPLINE**
19 **(November 2, 2007, Criminal Conviction – Disturbing the Peace on June 21, 2007)**

20 11. Respondent is subject to subject to disciplinary action under sections 2761(f) and
21 490, in that she was convicted of a crime substantially related to the qualifications, functions or
22 duties of a registered nurse, as follows:

23 a. In *People of the State of California v. Ronelia Dimaano Walker*, Orange County
24 Superior Court Case No. 07NF22866, Respondent was charged with a violation of Penal Code
25 section 646.9(a), stalking, Ct. 1, a felony.

26 b. On or about November 2, 2007, the complaint was amended, and Respondent pled
27 guilty to a violation of Penal Code section 415(2), disturbing the peace, Count 2 of the amended
28 complaint, a misdemeanor, with Ct. 1 dismissed on motion of the People. Respondent was
sentenced on November 2, 2007. She was placed on two years informal probation, with

1 conditions of probation including a stay away order from the victim, obeying all laws, orders,
2 rules, and regulations of the Court and Jail, and not owning, using, or possessing any type of
3 dangerous or deadly weapons; restitution fine and security fee.

4 c. The circumstances leading to this conviction are: Victim C.C. was Respondent's
5 daughter's former piano teacher. After she stopped teaching Respondent's daughter, Respondent
6 started acting strangely toward C.C. On or about May 3, 2007, when C.C. left for her overnight
7 nursing job, Respondent followed her to the hospital where C.C. worked. When C.C. completed
8 her shift the next morning, Respondent pulled out of the hospital driveway and Respondent
9 followed C.C. to her home. C.C. immediately went inside her home and did not contact
10 Respondent. When C.C. left, she saw Respondent sitting in her car, watching C.C. C.C. walked
11 up to the Respondent and told her to stop following her. Respondent responded that she had a
12 vision that C.C.'s husband would die soon and that she and C.C. would then form a "holy
13 family." Respondent got out of her car and attempted to hug C.C. On May 13, 2007, C.C. saw
14 Respondent following her once again while going to church. During the church service, C.C. saw
15 Respondent sitting in the row directly behind her. C.C. left the church. On June 21, 2007, C.C.
16 saw Respondent standing on C.C.'s front porch, staring at her front door.

17 In a July 5, 2007, follow-up interview with the Orange County Sheriff's Department, C.C.
18 said that Respondent approached C.C.'s husband when he went to work at 5:30 a.m. the week
19 before, and warned him to "be careful." Respondent previously told C.C. that her husband was
20 going to die, and that he was going to be treated by a Dr. F.T. (see paragraph 12, below).

21 **FOURTH CAUSE FOR DISCIPLINE**

22 **(May 4, 2009, Criminal Conviction – Contempt of Court on January 29, 2009)**

23 12. Respondent is subject to subject to disciplinary action under sections 2761(f) and 490,
24 in that she was convicted of a crime substantially related to the qualifications, functions or duties
25 of a registered nurse, as follows:

26 a. In *People of the State of California v. Ronelia D. Walker*, Orange County Superior
27 Court Case No. 09NM02481, Respondent was charged with violation of Penal Code section
28 166(a)(4), contempt of court for disobeying a court order.

1 b. On or about May 4, 2009, Respondent pled guilty to the charge. She was sentenced
2 on May 4, 2009, and placed on formal probation for three years, until May 3, 2012.

3 c. The circumstances of this conviction are: On or about January 29, 2009, Respondent
4 violated a previously-issued restraining order.

5 **FIFTH CAUSE FOR DISCIPLINE**

6 **(May 4, 2009, Criminal Conviction – Contempt of Court on February 11, 2009)**

7 13. Respondent is subject to subject to disciplinary action under sections 2761(f) and 490,
8 in that she was convicted of a crime substantially related to the qualifications, functions or duties
9 of a registered nurse, as follows:

10 a. In *People of the State of California v. Ronelia D. Walker*, Orange County Superior
11 Court Case No. 09CM01570, Respondent was charged with violation of Penal Code section
12 166(c)(1), violation of a protective/stay away order.

13 b. On or about May 4, 2009, Respondent pled guilty to a violation of Penal Code section
14 166(a)(4), contempt of court for disobeying a court order. She was sentenced on May 4, 2009,
15 and placed on formal probation for three years, until May 3, 2012.

16 c. The circumstances of this conviction are: A restraining order was issued on July 27,
17 2007, with an expiration date of July 27, 2010, ordering Respondent to stay at least 100 yards
18 away from Dr. T.F., Respondent's former physician, or his place of employment. On or about
19 February 11, 2009, Respondent went to Dr. T.F.'s place of employment, St. Joseph's Hospital in
20 Orange, California. She was observed by an employee of the hospital looking at Dr. T.F.'s
21 brochure. When contacted at St. Joseph's Hospital by officers of the Orange Police Department,
22 Respondent said she wanted Dr. T.F. to sign a form and meant "no harm." Respondent was
23 arrested for violating the restraining order. When her purse was inventoried at the Orange Police
24 Department, two photographs of Dr. T.F. were discovered. When questioned, Respondent said
25 that she had a picture of Dr. T.F. because she loved him.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 630503, issued to Ronelia D. Walker;
2. Ordering Ronelia D. Walker to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and
3. Taking such other and further action as deemed necessary and proper.

DATED:

5/28/09

Ruth Ann Terry

RUTH ANN TERRY, M.P.H., R.N.
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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